

EXHIBIT I

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

AT WHEELING

LARRY AND JANA RINE,

Plaintiffs,

CIVIL ACTION NO: 5:11-CV-4

v.

CHESAPEAKE APPALACHIA, L.L.C.,

Defendant.

AFFIDAVIT OF ASHLEY COWAN

STATE OF WEST VIRGINIA,

COUNTY OF Lewis, To-wit:

Ashley Cowan, being first duly sworn, deposes and says:

1. My name is Ashley Paige Cowan and I am construction foreman for Chesapeake Appalachia, L.L.C. ("Chesapeake"); my field office is located at 179 Chesapeake Drive, Jane Lew, West Virginia 26378. I make this Affidavit upon my own personal knowledge.
2. I have worked for Chesapeake for five months and in the construction industry since 2003. I have Bachelors Degree from Glenville State College.
3. My team and I were mobilized by Chesapeake Appalachia, L.L.C., to repair a slip in Wetzel County, West Virginia. I have spent considerable time on the site and have personally observed most of the site activities since the slip repair began on or about March 18, 2011.
4. With a slip forming at the edge of the well pad, it was absolutely critical to repair the sliding soil or additional damage to the pad may result, and such damage could result in much more significant risk and cost to repair.
5. Removal of the soil, including the drill cuttings, was necessary in slip repair as the drill cuttings and pit liner, if they were allowed to slip over the steep hillside, would have resulted in a significantly greater problem: loss of drill cuttings over the steep hillside and significantly greater difficulty in recovering and removing same from down the steep outslope embankment.

6. I considered the removal of the drill cuttings as both reasonable, necessary, and prudent to protect the well pad and the property. Further, the Rines may actually suffer harm if Chesapeake does not remove the earth and correct the slip.

7. Accordingly, to stop Chesapeake from its use of the surface, including repairing slips on the well pad, places Chesapeake in the position of potential exposure to significantly increased costs and damage.

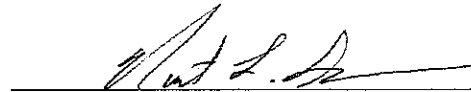
8. Following the Order of the Court dated April 12, 2011, on-going work at the site was temporarily halted due to concerns over the weather and due to problems associated with trying to store, on-site in the pit area, the remaining materials which were slated for removal to the landfill.

9. Due to the having the leave the pit open, Chesapeake has had to have tank trucks suctioning rain water from the pit area on nearly a daily basis, at significant cost to Chesapeake, and increasing the risk of water infiltrating the outslope and increasing the risk of a slip.

And further Affiant sayeth naught.


Ashley Cowan

Taken, sworn and subscribed before me this 20th day of April, 2011.



Notary Public within and for Lewis
County, West Virginia

My commission expires: July 26, 2014.

